

REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number	10/050,692
Filing Date	January 16, 2002
Confirmation Number	6715
First Named Inventor	Darrell H. Carney
Group Art Unit	1647
Examiner Name	DeBerry, R.M.
Attorney Docket Number	3033.1002-004

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ☐.
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ☐.

iii. ☐ Other -- ☐.

b. ☐ Please do not enter the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ☐.

c. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☒ Information Disclosure Statement (IDS)

iv. ☐ Petition for Extension of Time - ☐ month(s) with copy

v. ☒ Other -- Substitute Sequence Listing

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ☐ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other -- ☐.

3. Fees The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ A check is enclosed for the following fees in the total amount of \$770.00
OR

☐ Authorization is granted to charge the following fees in the total amount of \$☐ to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Amendment Fee

iv. ☐ Other -- ☐.

b. ☒ Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

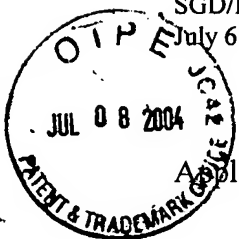
Name (Print/Type)	Helen Lee	Registration No. (Attorney/Agent)	39,270
Signature		Date	July 6, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)	Dawn M. Myers		
Signature		Date	7-6-04

July 6, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Darrell H. Carney, Roger S. Crowther, David J. Simmons,
Jinping Yang and William R. Redin

Application No.: 10/050,692

Group: 1647

Filed: January 16, 2002

Examiner: DeBerry, R.M.

Confirmation No.: 6715

For: STIMULATION OF BONE GROWTH WITH THROMBIN PEPTIDE
DERIVATIVES

CERTIFICATE OF MAILING OR TRANSMISSION	
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7-6-04	<i>David M. Myers</i>
Date	Signature
<i>David M. Myers</i>	
Typed or printed name of person signing certificate	

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)		(COL. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	8	MINUS	* 46	0
INDEP	3	MINUS	** 8	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

* not fewer than 20

** not fewer than 3

SMALL ENTITY	
RATE	ADDIT. FEE
X \$9	\$
X \$43	\$
+ \$145	\$

TOTAL = \$ 0

OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE
X \$18	\$
X \$86	\$
+ \$290	\$

TOTAL = \$ 0

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

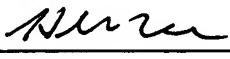
A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for month(s) Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input checked="" type="checkbox"/>	Other Fees:		
	Request for Continued Examination	\$	<u>770</u>
	_____	\$	_____
	TOTAL:	\$	<u>770</u>

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
Helen Lee
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Dated: July 6, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Darrell H. Carney, Roger S. Crowther, David J. Simmons, Jinping Yang and William R. Redin

Application No.: 10/050,692 Group Art Unit: 1647

Filed: January 16, 2002 Examiner: DeBerry, R.M.

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For: STIMULATION OF BONE GROWTH WITH THROMBIN PEPTIDE DERIVATIVES

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7-6-04	<i>Dawn M. Myers</i>
Date	Signature
<i>Dawn M. Myers</i>	
Typed or printed name of person signing certificate	

AMENDMENT UNDER 37 C.F.R. § 1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment under 37 C.F.R. § 1.114 is being filed concurrently with a Request for Continued Examination (RCE) and in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on April 6, 2004 (Paper No. 20040323). The Request for Continued Examination is being filed in lieu of a Notice of Appeal.

Please amend the application as follows.